

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18988 of 2005

15.9.2005

Between:

Syed Mohammed, S/o.Late Nawab Ahmed, Business,
Muneerbagh, Towlichowki, Shaikpet Mandal, Hyderabad.

... Petitioner

AND

1. The Municipal Corporation of Hyderabad, Circle No.IV, Khairatabad
and others.

... Respondents

ORDER:

The petitioner claims to be the owner and possessor of premises bearing No.8-4-86/1, Muneerbagh, Towlichoki, Hyderabad. It appears that the respondents 2 to 5 herein approached the Municipal Corporation of Hyderabad, the first respondent herein – for grant of building permission in respect of the said house. The petitioner, therefore, filed a representation on 19.5.2005 informing the first respondent that he filed a suit being O.S.No.1249 of 2005 and obtained injunction order against respondents 2 to 5 whereas they failed to get such an order. In this writ petition, the grievance of the petitioner is that though the representation was made, without considering the same, the first respondent granted permit No.94/26 dated 02.7.2005 to respondents 2 to 5. He, therefore, seeks a writ of Mandamus declaring the action of the respondents in granting permission to contesting respondents as illegal and arbitrary.

Heard the learned Counsel for the petitioner and learned Standing Counsel for the first respondent. There is a suit filed by the petitioner and a counter suit filed by the respondents 2 to 5. In both these suits, the respective plaintiffs obtained 'ad interim injunctions'. Therefore, without expressing any opinion on the rival claims, it would be in the interest of justice to direct the first respondent to consider the representation of the petitioner dated 19.5.2005 and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations and directions, is disposed of. No costs.

(V.V.S.RAO,J)

September 15, 2005.

YS